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Georgia

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I. Methodology and preparation process

1. The present report constitutes a continuation of the process, which started in 2011, when Georgia submitted the first-cycle report. During the first-cycle of the UPR, Georgia accepted 136 recommendations. At the same time Georgia undertook the voluntary obligation to submit a midterm report on the process of the implementation of recommendations accepted by the country, and this was submitted in December, 2013.

2. Fully committed to the peer-review spirit of the UPR, Georgia has developed an inclusive national reporting process and maintains a highly cooperative approach to its review cycles, both domestically and internationally. In this context, in order to facilitate the proper implementation of Georgia's obligations under the human rights treaties, a permanent inter-agency working group as the national coordination mechanism was set up in 2014, bringing together high and mid-level officials from the executive, the judicial and the legislative authorities. In parallel, relevant training was organized for the inter-agency working group members, in cooperation with the UNDP and more training is envisaged in the future.

3. The process of the preparation of this report was coordinated by the Ministry of Foreign Affairs of Georgia. All line ministries, relevant agencies, representatives of the judiciary and the Parliament participated in the preparation of the report.[1] For the purpose of a proper implementation of the recommendations accepted by Georgia in the course of first-cycle reporting, as well as the preparation of the present report, special training was organized for an inter-agency working group in cooperation with the UNDP on the UN human rights mechanisms with particular focus on the UPR.

4. At the same time Georgia attached paramount importance to the wider engagement of the non-governmental sector in the process of preparing the report. Consultation process started as early as June 2012. In 2015, the Ministry of Foreign Affairs of Georgia, in cooperation with various line ministries, hosted or participated in various consultation meetings related to the UPR with the participation of NGOs, the Office of the Public Defender of Georgia and the UN Office of the High Commissioner for Human Rights (OHCHR). In addition, upon request of the Ministry of Foreign Affairs of Georgia, the OHCHR organized a round table with the participation of government representatives and the non-governmental sector which offered a very good platform to discuss and share views on the UPR process. For the purpose of considering stakeholder feedback and comments, the final draft of the report was uploaded on the web page of the Ministry of Foreign Affairs and before submitting to the HRC, the report was presented to the OHCHR, the UNDP, the Office of the Public Defender and NGOs. All comments and suggestions were considered in the course of the finalization of the report.

II. Background of the legislative and institutional framework

A. Background information

5. Georgia is an independent, unified and indivisible democratic state as confirmed by the Referendum of 31 March 1991, held throughout the territory of the country, including the Autonomous Soviet Socialist Republic of Abkhazia and the Former Autonomous Region of South Ossetia and by the Act of Restoration of the State Independence of Georgia of 9 April 1991. The territorial integrity of Georgia and the inviolability of the state frontiers, is recognized by the UN and other international organizations.

6. State authority is exercised on the basis of the principle of the separation of powers. The Parliament of Georgia is the supreme representative body of the country, which exercises control over the activity of the Government. The President of Georgia is the head of the State of Georgia and Commander in-Chief of the Georgian Armed Forces. The Government, headed by the Prime-Minister, is the supreme executive body formed with submission to the President and subject to the confidence of the Parliament. Judicial power in Georgia is exercised by the common courts of Georgia and the Constitutional Court. Independence of the judiciary is guaranteed by the Constitution.

7. The state language of Georgia is Georgian, and in Abkhazia also Abkhazian.

B. Legislative and institutional framework

8. The Constitution of Georgia is the supreme law of the state. The Constitution reaffirms the universally recognized human rights and freedoms and recognizes supremacy of international treaties over domestic laws.

9. A firm supporter of the UN and regional human rights machineries, Georgia has signed and ratified most human rights instruments. Georgia regularly submits its periodic reports to the human rights treaty monitoring bodies and pays utmost attention to the implementation of their recommendations.

10. One of the most recent and important developments in the legislation of Georgia is the adoption of the comprehensive anti-discrimination law on May 2, 2014 by the Parliament of Georgia. Georgia's national human rights institution – the Office of the Public Defender – is authorized to monitor the implementation of the law. For the monitoring of the implementation of the law, the Public Defender's Office created an Equality Department.

11. In recent years significant measures have been undertaken by Georgia at the policymaking and institutional levels to ensure coordinated state action for the purposes of the effective enjoyment of human rights. Along with the Gender Equality Council chaired by a Vice-Speaker of the Parliament, special posts were also appointed such as the Human Rights Advisor of the President, the Assistant to Prime Minister on Human Rights and Gender Equality Issues, and an Ambassador at Large on Human Rights within the Ministry of Foreign Affairs, who is tasked to systematically follow up on the implementation of HRC resolutions, recommendations by Special Rapporteurs and Independent Experts and outcomes of the UPR process. The Committee on Human Rights and Civil Integration, as one of the standing committees of the Parliament of Georgia, has broad powers to monitor and evaluate the human rights situation in the country as well as to examine individual petitions from individuals.

12. In 2014, Georgia adopted the comprehensive and long-term Human Rights Strategy (2014–20), and subsequent Action Plan (2014–15), elaborated in a transparent manner with the active involvement of the civil society and international actors. Its effective implementation and monitoring is ensured by the Human Rights Secretariat and the Human Rights Inter-Agency Council under the Prime Minister. Council consists of the ministers as well as civil society representatives and international organizations with the permission of vote. The Council is accountable to the Parliament by annual reporting.

13. The Data Protection Supervisory Authority was established in July 2013. It is fully operational and equipped with adequate financial and human resources. The Head of the Authority, the Personal Data Protection Inspector, is elected by the Parliament for a 3 year term. The Authority's mandate fully covers public and private sectors, including data processing by the law-enforcement agencies for crime prevention and investigation purposes. The Authority has respective monitoring powers, *inter alia*, power to conduct

investigations, study the legal aspect of the data processing and, in the case of violations, it can impose fines.

III. Human rights situation in the occupied territories

14. During the reporting period, the Government of Georgia has been consistently continuing its policy aimed at ensuring full enjoyment of the rights for the entire state population. To this end, the obstacles of outstanding gravity were imposed by occupation of two regions - Abkhazia, Georgia and the Tskhinvali region/South Ossetia, Georgia by the Russian Federation. While Georgia fully undertakes its obligation to take all available measures to ensure human rights protection in the occupied territories, at the same time, it contends that the primary responsibility for human rights violation in these regions rests with the Russian Federation.

15. The occupation line, illegally established by the occupying power, prevents several hundreds of thousands of IDPs and refugees from returning to places of their permanent residence in safety, dignity and security. In the spring of 2011, the Russian occupation forces intensified the process of the installation of barbed wire fences and other artificial obstacles along the occupation lines in Abkhazia, Georgia and the Tskhinvali region/South Ossetia, Georgia (placed in 2009). This process has been further intensified since January 2013 and is still ongoing. Currently, the total length of artificial barriers along the occupation lines is 63 km. In some segments, the barbed wire fence and the so called "border signs" have intruded into territory controlled by the Government of Georgia, thus extending the area of occupation. Russia continues to place undue restrictions on the local population wishing to cross the occupation line[2] that often runs through their orchards, yards, grazing fields, agricultural plots and cemeteries. People are regularly detained by Russian FSB border guards for so called "illegal border crossings" while the operating crossing points along the occupation line allow crossings only to individuals having one of the types of "documents" recognized by the occupying power and based on vague criteria as to the validity of these documents.[3] Those unable to present those documents or show up at the crossing point out of working hours, are denied the right to cross, often leading to casualties among those locals, including children and women, seeking urgent medical treatment. In 2012 towards the Tskhinvali direction only 110 people were arrested for the mentioned reasons. In 2013 (January-October 1 period) alone about 2000 people were arrested in the Abkhazian direction. In 2014 (January-October 1 period), this number reached nearly 3000. In 2013 as well as in 2014 the number reached 142 people per year. Since the beginning of 2015 until April/2015 in total 19 persons were detained for the same reasons.

16. Human rights violations occurring in the occupied territories on a frequent basis include but are not limited to: kidnappings, robberies and assaults, violation of the right to life, torture and ill-treatment, arbitrary detentions of ethnic Georgians, systematic and gross violations of property rights, restriction of freedom of movement, the restriction of the ethnic Georgian school children to receive education in their native language. Information on concrete cases of severe human rights violations on the occupied territories is provided in the annex of the report.

17. The Government of Georgia is highly committed to adequately protect human rights and freedoms throughout its entire territory including the occupied regions. Currently, the only forum available to Georgia for achieving security and stability in its occupied regions, and ensuring a safe and dignified return of IDPs and refugees to the places of their origin and residence, is the Geneva International Discussions. Co-chaired by the United Nations, EU and OSCE, the Geneva International Discussions became operational in 15 October 2008.

18. For years, the Georgian authorities have been advocating the involvement of international organizations in the issue of the protection of human rights in the occupied regions of Georgia. The Georgian government continues to emphasize the significance of the access of international human rights monitoring mechanisms in Abkhazia, Georgia and the Tskhinvali region/South Ossetia, Georgia. It is deplorable that the European Union Monitoring Mission (EUMM) in Georgia is prevented from monitoring inside the occupied regions, as provided by the Mission's mandate. The occupying power, exercising effective control, continues to prevent numerous international organizations, including humanitarian, from entering those territories. Existing dire situation clearly demonstrates the urgent need of the active involvement of the OHCHR and Special Procedures mandate holders.

19. As of 2015, the Ministry of Foreign Affairs of Georgia started to issue quarterly reports based on open sources on the human rights situation on the occupied territories for the purpose of a wider engagement of the international community in improving the human rights situation in these areas.

IV. Promotion and protection achievements and challenges

A. Overview of the National Human Rights Strategy and Action Plan

20. The policy of the Government on human rights is well reflected in the recently adopted National Human Rights Strategy and its Action Plan. The National Human Rights Strategy (2014-2020) was adopted by the parliament of Georgia in March 2014. The Strategy describes the main challenges in the field of respect for human rights; defines the process of the implementation of strategic goals; and defines guidelines for the coordination of this process, including its evaluation mechanisms. The Action Plan of the Government of Georgia on the Protection of Human Rights (2014–2015) for the implementation of the National Human Rights Strategy was adopted in June 2014. The Action Plan is designed to set out detailed commitments of Georgian authorities in order to implement the Strategy in the years 2014–2015. The Strategy and its Action plan were developed with wider engagement of non-governmental and international organizations, experts, and scholars. The Inter-agency Council established under the Government and chaired by the Prime Minister monitors the process of implementing the Action Plan. The Council has nine working groups on the level of deputy ministers and heads of department, focusing on different chapter of the Action Plan. The nine inter-council working groups unite and cover all 23 chapters of the Action Plan. As an additional guarantee for the effective implementation of the Action Plan, the Human Rights Secretariat, responsible for the productive Inter-Agency coordination and close monitoring of the execution of the Action Plan, was created in the Administration of the Prime Minister's Office.

21. The updates on its implementation are regularly presented to the civil society organizations. On 6 July 2015, the very first progress report on the implementation of the governmental action plan was presented to the Parliament.

B. Overview of the comprehensive policy in international humanitarian law

22. The Government has elaborated a comprehensive policy for the implementation of international humanitarian law in its legislation and practice. The National Inter-Agency Commission on the Implementation of International Humanitarian Law (the Commission) was established on 31 October 2011[4] as a standing body set up to implement and ensure

respect for International Humanitarian Law (IHL) and to coordinate the work of different entities in this field.

23. One of the main objectives of the Commission is to promote the determination of IHL programs and various educational activities in cooperation with the International Committee of the Red Cross (ICRC). On 15 July 2014, the Commission approved the 2014-2015 Action Plan, envisaging inter alia the dissemination of the IHL's principles among target groups (journalists, teachers, schoolchildren, doctors, etc), training the personnel of the Ministry of Defense and the armed forces on IHL and providing information regarding the civilian population and objects. The main objective of the 2014-15 Action Plan is to ensure compliance of Georgian legislation with international obligations. With this objective, the Action Plan envisages the integration of the IHL and the IHRL norms into the manuals and doctrines of the armed forces.

C. Overview of the comprehensive anti-discrimination law

24. As has already been mentioned, on 2 May, 2014 the Parliament of Georgia adopted a comprehensive Anti-discrimination Law. Elaboration of the new anti-discrimination law started in 2012. All competent ministries and local and international NGOs actively participated in the drafting process of the law. Feedback and recommendations provided by international organizations and experts were reflected in the text of the final law. The purpose of the law is the elimination of all forms of discrimination and the assurance every person has equal enjoyment of the rights prescribed by law irrespective of any grounds. Any form of discrimination, be it direct, indirect or multiple, are to be prohibited. Special and provisional measures aimed at encouraging equality, particularly in gender issues, shall not be considered as discrimination. The new Anti-discrimination Law explicitly prohibits discrimination on the ground of gender identity. It also prohibits discrimination in both the public and private sector and imposes responsibilities not only on public institutions, but also on any legal entities and individuals. Elimination of discrimination and ensuring of equality must be monitored and controlled by an independent body – the Public Defender of Georgia. In order to ensure effective fulfillment of the new tasks assigned by the law, the budget for the Public Defender's Office was increased by 80% compared to 2011. Total spending by the office amounted to 2.2 million GEL in 2011, 2.9 million GEL – 2012, 3 million GEL – 2013, 3.5 million GEL in 2014 and the allocation for 2015 amounts to 4 million GEL.

25. The adoption of the law was accompanied by a set of amendments to other legislative acts to harmonize with the provisions of all relevant statutory acts regulating the elimination of inequalities, in particular with those of the Code of Civil Procedure, the Law on Gender Equality, the Law on Ombudsman and with the Criminal Code.

D. Major achievements and developments in human rights since the 2011 report

1. Access to justice and right to a fair trial

26. The first stage of reforms of the judiciary started in 2012 and was primarily aimed at de-politicizing and strengthening the independence of the High Council of Justice and a number of other institutions of judicial self-government. The enacted amendments ensure a participation of judges in the formation of the High Council of Justice and a decision-making process on the judicial system in general. The first wave of amendments also increased the transparency of the court and disciplinary proceedings. The provisions

regulating the recording and broadcasting of the court proceedings and the publication of the decisions of the Disciplinary Chamber and Disciplinary Board were revised.

27. At the second stage of reform there was a constitutional amendment introducing life tenure for judges. In line with the Constitution, the Organic Law on the Common Courts sets a three year provisional appointment period. A transparent mechanism for assessing the judicial performance during this period was elaborated and will soon enter into force.

28. The third stage of reform was launched in spring 2014. It is focused on guarantees of the independence of an individual judge and his/her involvement in the activities of the court. The draft legislative amendments at this stage are aimed at the following changes: filling of judicial vacancies through competition, as opposed to direct appointment; introduction of the principle of automatic allocation of cases; and a strict regulation of the transfer of judges to another court.

29. Criminal Justice Reforms are led by the Criminal Justice Reform Inter Agency Coordination Council (the CJRC). The CJRC is a key policy-making body composed of representatives from different governmental agencies, and of international and non-governmental organizations. The CJRC adopted the following strategies and action plans in 2009 and subsequently revised on an annual basis: criminal legislation reform, juvenile justice, penitentiary, probation, legal aid, legal education, prosecution, police, judiciary and the Public Defender's Office.[5] The CJRC also adopted a Strategy and Action Plan for the Resocialization-Rehabilitation in the Criminal Justice System in 2014.

30. In 2014, amendments were introduced to the Criminal Procedural Code aimed at enhancing human rights in the criminal justice system. The amendments aimed at enhancing the rights of the defendant and the powers of judges in the process of plea bargaining[6] and the determination of punishments, enhancing the role of the victim in the plea-bargaining process[7] and improving the transparency of procedure.

31. In 2011–2014, significant reforms were carried out in the field of legal aid. Together with institutional independence, the main attention was paid to the expansion of the mandate of the Legal Aid Service. Since March, 2011, insolvent persons are entitled to receive legal aid in cases of administrative offences that envisage administrative arrest as a penalty. In addition, the Legal Aid Service will provide free advocacy service in certain categories of civil and administrative cases according to the complexity and importance of a case, from April 15, 2015. The network of the Legal Aid Service offices was significantly expanded covering 18 cities. The main attention was paid to the regions settled with ethnic minorities and highland areas where 6 offices were opened between 2010 and 2014.

32. In August 2014, in pursuance with the UN Human Rights Committee's recommendations to Georgia,[8] the Code of Administrative Offences of Georgia was amended and the maximum period of administrative custody for all violations entailing administrative detention is set for 15 days instead of 90 days. Alongside the reduction, procedural guarantees of arrestee such as, due process rights, the right to know the reasons for detention, to choose a lawyer, and to notify his/her family were also introduced.

2. Policy of the fight against ill-treatment

33. The Inter-agency Council on Combating Torture and Other Forms of Degrading and Inhuman Treatment or Punishment has been functioning under the chairmanship of the Minister of Justice of Georgia (MoJ) since 2007. The Council is also responsible for drafting a National Strategy and Action Plan against torture and ill-treatment.

34. The new 2015-2016 Action Plan against Torture (APT) was approved on 18 May 2015. It is more ambitious and extensive in comparison to previous plan and includes 4 chapters: 1) Strengthening of procedural, legislative and institutional mechanisms of the

fight against ill-treatment; 2) Ensuring effective investigation of all cases of ill-treatment; 3) Ensuring the defense, rehabilitation of and compensation for victims of ill-treatment; 4) Training, awareness-raising and capacity building as an integral part of the fight against ill-treatment. The APT also envisages elaboration of a concept of independent and effective investigation mechanism of allegations of the use of torture and ill treatment in the penitentiary system, police, military and other closed facilities.

3. Major improvements of the penitentiary system

35. Alongside the liberalization of criminal policy and the introduction of the law on amnesty, due to the efficient work of the revised parole boards, the prison overcrowding issue was effectively addressed. The Amnesty Act envisaged several forms of amnesty such as release, halving of the prison sentence or reducing it either by one-third or by one-fourth according to the category of offence and characteristics of the prisoner. As a result, the number of inmates has significantly decreased in the penitentiary establishments of Georgia. The effective work of the parole boards made possible the guaranteeing of $4m^2$ living space for convicts and a minimum $3m^2$ for pre-trial inmates, as provided by European standards. Currently 5 parole boards (3 for adult males, 1 for juveniles and 1 for women) review on a monthly basis cases for early conditional release. The ongoing plan is to link the early conditional release criteria with the results of the individual sentence plan. Individual sentence planning has so far been successfully implemented in relation to juvenile inmates and will be introduced in one female and in one male penitentiary establishment.

36. In order to eliminate the problem of living conditions, several infrastructural projects have been launched by the Ministry of Corrections, some of them still underway. Establishments with very poor conditions were closed, fully reconstructed and re-opened.

37. Based on legislative amendments, the Ministry of Corrections plans to introduce an objective classification system, including a personal assessment of risks and needs. While the respective methodology will certainly consider sentence information, it will equally take into account an inmate's behavior, and his criminal, institutional and personal history.

38. The 2013-2014 Strategy and Action plan for Prison Healthcare Reform - the so called 18 month reform - was developed with wider participation and endorsed. The reform was completed successfully following the independent evaluation conducted on behalf of the EU and CoE; the prison healthcare budget was doubled; the Model of Primary Healthcare was extended to all prisons and all primary healthcare units were rehabilitated and equipped.

4. Freedom of expression, religion and assembly

39. Freedom of Speech and Expression is guaranteed by international treaties, the Constitution of Georgia and the Law of Georgia on Freedom of Speech and Expression. The Criminal Code of Georgia (CCG) contains a number of provisions aimed at promoting a safe and enabling environment for journalists to perform their work independently and without undue interference. Thus, illegal interference when exercising the right to freedom of speech and the illegal interference in the professional activity of a journalist are criminalized by the Code. It is important to note that the sources of professional secrets are by the law protected by a special privilege. It should also be mentioned that there is no criminal responsibility in Georgia for cases of defamation or libel and a person who makes defamatory statements may incur only civil liability.

40. A major change in Georgia's legislation, concerns the Georgian Law on Broadcasting, and is related to transparency of media ownership, as well as to financial transparency, and was passed by the Parliament of Georgia in 2011. The amendments

aimed to tackle two problems: firstly to broadcasters registered in offshore zones providing no access to owners' identification data and secondly to the hidden interests of local owners.[9] According to the 2011 amendments of the Georgian Law on Broadcasting, the Georgian National Communications Commission (the regulator state body) affirmed the form of the Declaration of Compliance, which should be enclosed with an application by the seeker of a license/authorization.[10] A broadcaster's transparency the obligation consisting of several activities: the obligation to provide the regulator with a declaration of compliance in the case of a change in owners of the broadcaster; stockholders of the broadcaster's share; members of the governing body; and officials of the broadcaster.[11]

41. On 1 September 2013, legislative amendments were introduced to the General Administrative Code of Georgia imposing upon public agencies an obligation to proactively disclose public information and also giving the public a right to request information electronically (e-request) and a decree on the Proactive Publication of Public Information and Electronic Request was adopted by the Government on 26 August, 2013.

42. A new commitment for Georgia in terms of Freedom of Information is the adoption of a stand-alone Freedom of Information Act in line with international standards and best practices. The new Freedom of Information Act is underway and the draft will be submitted to the Parliament of Georgia for adoption by the end of 2015.

43. The right of everyone to freedom of speech, thought, conscience, religion and belief is guaranteed by the Constitution of Georgia. In line with the best European practice, the State Agency for Religious Issues was established in 2014. The Agency implements research, analytical and advisory activities for the Government, the Prime Minister and other authorized bodies of the Georgian state.

44. Currently, the Agency is working on legislative amendments, which will equalize taxation advantages for all religious organizations. Furthermore, the Agency systematically applies interreligious and multicultural dialogues and activities, as an instrument to integrate religious minorities.

45. Notwithstanding the fact that the Georgian State does not have any legal obligation to recover the damage caused by the Soviet totalitarian regime, in accordance with the principles of justice and good- will, on the basis of the Government Decree adopted in 2014,[12] the state agreed to partially recover the moral and material damage to Muslim, Jewish, Roman-Catholic and Armenian Apostolic denominations. In 2014, for the listed denominations, GEL 1,750,000 were transferred.[13] The funds allocated for the partial recovery were doubled in 2015; also it is planned to expand the list of denominations which were subjected to moral and material damage.

46. The Constitution of Georgia, international conventions[14] and the Law of Georgia on Assemblies and Manifestations guarantee the right to freedom and peaceful assembly. In 2011, some substantial changes to the Law were introduced, including the following: introduction of the principle of proportionality for the restriction of the right to assembly and demonstrate, in line with the European Convention on Human Rights; the repeal of blanket restrictions regarding places where assemblies and demonstrations can be held, specifically with respect to political institutions; blanket restrictions on blocking streets also were lifted; additional provision to strengthen guarantees and protections for media covering assemblies and demonstrations. Further amendments were made to the law in 2011 and 2012 as a result of the judicial review by the Constitutional Court of Georgia, removing further restrictions on the rights of freedom of assembly.[15]

5. Protection of privacy and personal data

47. The government attaches great importance to the protection of privacy and personal data. Since 2012, comprehensive reforms were implemented in order to build a data

protection system in the country. The Personal Data Protection Law (hereinafter, PDP Law) being in compliance with major international and European standards was enacted in May, 2012. The PDP Law provides the basic legislative framework for the lawful processing of personal data by public and private institutions, including the law-enforcement agencies. The violations of the personal data protection rules entail administrative as well as criminal responsibility based on the nature of the particular breach.

48. The Office of the Personal Data Protection Inspector was established in 2013. In order to establish independent external oversight over the covert surveillance activities carried out by the law-enforcement agencies, new functions related to the supervision and prior control of covert surveillance (interception) activities were attributed to the Office from 2015. In March, 2015 a two-stage electronic monitoring system of covert surveillance activities was created. With this system the Data Protection Authority can exercise prior control over the legality of data collection and obstruct interception unless all legal requirements are met. The allocated state budget for 2015 amounts to 1.5 million GEL. The actual performance in 2014 was 588,000 GEL.

6. Internally Displaced Persons (IDPs) and refugees

49. The Government spares no effort to ensure decent conditions for all IDPs, however, the only durable solution for them is a voluntary, safe and dignified return, as reaffirmed in UN GA Resolutions on the "Status of internally displaced persons and refugees from Abkhazia, Georgia, and the Tskhinvali region/South Ossetia, Georgia". Recently the UNHCR office in Georgia published an intentions survey among IDPs to hear their voices and perceptions on voluntary return and alternate durable solutions. As a result, 88% of IDPs expressed willingness to return to places of their origin in a safe and dignified manner. Despite Georgia's efforts no progress has been achieved within the second working group of the Geneva International Discussions, designed to address the return of IDPs and refugees.

50. The Government is committed to ensure the protection of IDP rights during their displacement and to promote the integration of IDPs with long term solutions. Significant progress has been made in this direction. The State Strategy on IDPs and the Action Plan for the implementation of the State Strategy (Government Decree N127 04/02/2015), the Livelihood Strategy (Government Decree N257 13/02/2014) and its Action Plan (Government Decree N128 04/02/2015) and the Law of Georgia on Internally Displaced Persons from the Occupied Territories of Georgia (came into force on 01/03/2014) all significantly strengthening the rights of IDPs by creating necessary guarantees for the protection from forceful displacement, providing with first aid during displacement and adequate housing, protecting their social rights namely a monthly allowance, state insurance as well as promoting the social integration and improvement of living conditions. The Law introduces safeguarding mechanisms, protecting IDPs from arbitrary eviction from living spaces (collective centers). The Law also determines the right of the restitution of real estate left on the occupied territories and the passing of it to hereditary ownership.

51. First steps were taken toward the shift from status to needs-based assistance but an IDP allowance is suspended if the taxable income of an IDP amounts to 1,250 GEL or more and is confirmed by the authorized body established by Georgian legislation.

52. Order N320 on Accommodation and Refugees of Georgia (adopted on 9.8.2013) of the Minister of Internally Displaced Persons from the Occupied Territories sets procedures for the provision of accommodation conditions and the transfer of ownership, as well as the procedure for their temporary housing. In order to provide housing, priority is determined by the needs of IDPs on the basis of the decree. Special measures have been taken for the needs of persons with disabilities and special needs. It is based on the principles of transparency and publicity.

53. The Ministry developed and published a normative act on the Accommodation of Persons Affected by and Displaced as a Result of Natural Disasters, and on the Creation of an Accommodation Regulatory Commission (Minister's Decree №779 13/11/2013). This act, on the basis of eco-migrant equality and relevant criteria sets procedures for the provision of accommodation, housing conditions and the transfer of ownership. The amendment of the act (January, 2015) identified the circumstances in which the family is considered as eco-migrant.

54. On April 2, 2014, the Georgian Parliament ratified the 1961 UN Convention on the Reduction of Statelessness. In order to support the harmonization of the Georgian legislation with the Convention, the Organic Law of Georgia on Citizenship was amended based on the principles of the Convention and the setting up of a number of mechanisms to prevent and reduce the number of stateless persons.[16]

55. The law on Refugee and Humanitarian Status came into force in March 2012, which introduced the new term "humanitarian status" as a subsidiary protection. The Law provides improved definition of the protection of members of the family of refugee and humanitarian status holder. The principle of non-refoulement, extradition and/or expulsion is one of those major principles protected by this law.

56. From September 1, 2014 a new law on the "Legal Status of Aliens and Stateless Persons" came into force. According to that law, since November 28, 2014 the issue of a temporary identification card to asylum seekers started. It is legally equal to an identity document and also represents a residence permit.

57. Various activities for strengthening the integration process of the refugees and humanitarian status holders have been implemented, based on the National Migration Strategy of Georgia for 2013-2015 and the Action Plan. According to Georgian legislation, in the field of education and healthcare, asylum-seekers, as refugee or humanitarian status holders, enjoy the same rights as citizens of Georgia. The vulnerable category of asylum seekers and humanitarian and refugee status holders are provided with financial support for renting accommodation. In accordance with the Law of Georgia on the State Budget of 2015, persons holding refugee or humanitarian status are granted a monthly allowance consisting of GEL 45.

7. Trafficking in persons

58. The Interagency Council on Combating Trafficking in Persons set up in 2006 is the major policy shaper with regard to combating trafficking and includes representatives from all line ministries and agencies; as well as NGOs, international organizations are actively involved in its work. The Inter-Agency Council has a Permanent Working Group composed of relevant legal advisors and experts from international and non-governmental organizations. The Permanent Working Group is an authorized entity for examining and granting the status of victim to a person within 48 hours of submitting an application. The criminal legislation of Georgia also ensures the procedure for granting the status of statutory victim of human trafficking by law enforcement agencies.

59. Since 2006, the Council has elaborated National Action Plans. On November 14, 2014 the Council approved an Action Plan for 2015-2016 which is based on the so called "4Ps" principle and is focused on crime prevention, the prosecution of alleged perpetrators, the protection of victims of human trafficking and the close cooperation with partner states and non-governmental organization at national and international level. For the purposes of proactive identification of TIP cases and effective investigation, since 2013 Special Guidelines and Standard Operational Procedures were adopted; and 4 mobile groups, a task force and a special anti-trafficking unit in Batumi were established.

60. The Law of Georgia on Combating Trafficking was amended in accordance with the recommendations of the Group of Experts on Action against Trafficking in Human Beings (GRETA) in April 2012. In particular, the new chapter inserted in the Law refers to the social and legal protection, assistance and rehabilitation of child victims. In May 2014, amendments to the Criminal Code of Georgia and Law on Combating Trafficking were introduced, providing a more clear definition of the term "exploitation".

61. When it comes to the protection of victims of human trafficking, the efforts of the State Fund for the Protection and Assistance of the TIP victims should be noted as it continues to provide: a) shelters; b) legal aid; c) physiological and medical assistance; d) rehabilitation and reintegration measures to the victims since 2006.

62. In addition, the Government has concluded a number of bilateral agreements with partner states to strengthen cooperation on combating transnational organized crime, including human trafficking.

8. Rights of the child

63. The Ministry of Justice, in cooperation with UNICEF and the EU completed working on the first ever standalone juvenile justice law (Juvenile Justice Code) based on the UNODC Model Law on Juvenile Justice and Related Commentary, the Convention on the Rights of the Child and other relevant international standards. The aim of the Juvenile Justice Code is to fully incorporate into the legislation the best interests of the child and other principles of juvenile justice enshrined in the CRC and relevant international standards, to expand the alternatives to criminal prosecution, such as diversion and mediation, and to diversify the sanctions available to the judge to ensure that detention and imprisonment are used only as a last resort. The draft Juvenile Justice Code was adopted by the Parliament of Georgia on 12 June 2015.

64. The Public Service Development Agency of the Ministry of Justice collaborates with the Social Service Agency in order to introduce the relevant amendments in legislation to create temporary identification documents for children living and working in the streets. Nowadays most street children have no identification or citizenship, so the Social Service Agency is not able to provide health care and educational services for these children. As a result of the amendments, the state will be able to provide a temporary identification document for street children, until their citizenship and legal status is determined.

65. The Government continues the deinstitutionalization course in the field of child welfare, through replacement of the large institutions with alternative, family type services and promotes development services for homeless children and children with disabilities. Since 2013, the Government has increased a financial aid package for children with disabilities and survivors. Access to the social care programs has been significantly increased.

66. In order to ensure quality of services, respective Standards have been elaborated on the basis of which permanent/systematic monitoring and quality control is carried out.

67. In 2014, within the framework of a state social program, the Ministry of Labour, Health and Social Affairs of Georgia launched the Emergency Assistance Sub-program for Families with Children in a Critical Situation in order to satisfy their urgent needs. The program budget amounts to 1,000,000 GEL which enables the state to give material support food, hygienic materials, and home appliances to the value of 1000 GEL to each family in need.

68. In order to ensure access to an adequate healthcare service to children, starting from September 2012, the country has provided health insurance coverage to all children from 0 to 6, as well as to disabled children up to the age of 18. Furthermore, all publicly financed

healthcare services include special benefits in terms of reduced or no deductible requirement for services rendered to children benefiting from those programs.

69. The Ministry of Education and Science of Georgia is responsible for providing a child friendly quality educational policy, in order to envisage the principles of the best interests of children and raise them as fully-fledged citizens. The Ministry of Education and Science of Georgia is dedicated to ensure the accessibility and the quality of the education system. For this purpose the Ministry is collaborating with local and international organizations: UNICEF, UNDP, World Bank, USAID, MCC and many others.

70. The Georgian law on General Education (approved by Parliament April 8, 2005 of Georgia) ensures free general education for students at all public schools in Georgia. Educational institutions are open to all children regardless of their race, skin color, religion, language, national and ethnic and social belonging. To ensure that all children have the possibility to access educational institutions and have quality education, the following decisions were made recently, for example:

- The National Curriculum has been revised according to the main principles of modern education. Together with traditional subjects the National Curriculum also covers civic education, human rights, non-discrimination, tolerance, cultural diversity, ecology, safety and protection, disaster risk reduction and other themes important for further personal, social and professional development.
- An inclusive education is given in all schools of Georgia; supporting children with special educational needs in mainstream schools. Integrated classes have been also opened in several schools to help SEN children to integrate with their peers and to receive education. An alternative curriculum is prepared for children with severe and profound mental disabilities. National compulsory exams are also adapted for those who have special educational needs.
- The Social Inclusion Program aims to support vulnerable children by including them in formal education through a social inclusion program. Program beneficiaries are children with special educational needs such as Roma, Meskhetians, and children without citizenship who have problems being integrated into the formal education system.
- The Ministry of Education and Science elaborated a policy for second chance education for children living and working in the streets and other vulnerable children. In 2014, a study was conducted to identify the main challenges preventing inclusion in formal education of street children. From 2015 it is planned to start piloting the integration of an education component into daycare centers as well as the preparation of a specific curriculum framework.
- The Ministry of Education and Science is working hard to ensure ethnic minority children are included and can benefit fully in educational institutions. For this purpose the Ministry carries out a number of activities and tailored program, on the one hand to retain their identity and on the other hand, to support the process of teaching the official language to ethnic minorities to support their integration into the state social, cultural and economic life.

9. Rights of women

71. The Gender Equality Council, established in 2009 and chaired by the Deputy Chairperson of the Parliament, elaborated the National Action Plan on Gender Equality for 2011-2013, which was adopted on 5 May 2011. Later, on 24 January 2014, the National Action Plan on Gender Equality for 2014-2016 was adopted by the Parliament, in compliance with the Council of Europe's Gender Equality Strategy 2014-2016 and seeks to

combat gender stereotypes, violence against women, integrate gender into all programs and policies, abolish negative traditional gender stereotypes, guarantee equal access to justice and balance the participation of women in decision-making positions.

72. In addition, on 27 December 2011, the Parliament of Georgia approved the 2012-2015 National Action Plan for the implementation of the UN Security Council Resolutions 1325, 1820, 1888, 1889 and 1960 on "Women, Peace and Security".

73. In order to promote women participation in politics/political parties the Organic law of Georgia on Political Unions of Citizens was re-amended on 29 July 2013. Pursuant to the recent amendment the mentioned election subject will receive supplementary funding to the amount of 30% if, in the submitted party list, among 10 candidates the gender difference is presented by at least 30%. The recent amendment entered into force in 2014 after the local elections.[17]

74. Currently, several key high-level positions are held by women: namely, the Ministers of Defence, of Justice, of Education, of Foreign Affairs, the Secretary of the National Security Council, and the Chairperson of the Central Election Commission of Georgia. In 2015, a woman was elected as the chairperson of the Supreme Court of Georgia for the first time in Georgian history. However, as noted in CEDAW recommendations,[18] women remain underrepresented in senior and decision-making positions in the legislative and executive branches. In order to address this issue, the President and the Speaker of the Parliament have openly declared their support for the introduction of mandatory political quotas to increase women participation in politics and respective legal changes will be debated in Parliament before the end of 2015.

75. In December, 2012 the Georgian Government started a systemic and conceptual review of the Labour Code of Georgia with the aim of bringing its labour laws in full compliance with the international labour conventions and to incorporate the best international practices, thus significantly enhancing the protection of women's rights. Maternity leave policy has been improved, both in terms of remuneration (from GEL 600 to 1000) and lengths (from 4 to 6 months). In addition, the Labour Code guarantees that the working overtime of pregnant women or of women having recently given birth is prohibited. Furthermore, the Labour Code ensures maternity childcare, newborn adoption and extra maternity or child care leave of absence. In addition, terminating labour relations shall be inadmissible during the period after notifying her employer of her pregnancy by a female employee.

76. Gender issues have been addressed in all projects implemented in the agricultural sector and rural development. For example, in support of a cooperative establishment in the agro sector, special attention is given to the issue of female involvement in cooperatives, especially to the promotion of women as managers and decision makers.

10. Elimination of domestic violence

77. The National Action Plan for 2013-2015 on the Elimination of Domestic Violence was adopted under a Presidential Decree on 17 July 2013. The Action Plan names three main goals: 1) the improvement of the mechanisms and the legislative base on the prevention of domestic violence, protection and assistance of victims of domestic violence; 2) the protection, assistance and rehabilitation of victims of domestic violence; 3) the prevention of domestic violence and the raising of awareness on domestic violence issues.

78. Pursuant to the amendment to the CCG introduced on 27 March 2012, any crime based on gender identity constitutes an aggravating circumstance. Furthermore, in June 2012, Georgia criminalized domestic violence; two new provisions were introduced to the CCG - Article 1261, which specifically defined the scope of domestic violence and Article 111 which established categories of domestic violence.

79. Despite the number of measures undertaken by the Government, gender based violence, including domestic violence, is of serious concern and remains among the top priority issues in the human rights agenda of the Government. On 19 June 2014 Georgia signed the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence i.e the Istanbul Convention. With the aim of its ratification, the process of the harmonization of the Georgian legislation with the provisions of the Istanbul Convention was started. At the first stage of the legislative amendments, the Government elaborated amendments to 12 legal acts aimed at the effective elimination of domestic violence. These amendments were approved by the Parliament in October 2014. In particular special attention was paid to ensure victims with shelter. Forced marriage was incriminated in the Criminal Code. Compulsory courses now exist for improving domestic violators' behavior and their social rehabilitation. In addition, the Ministry of Justice of Georgia has elaborated the ratification of a package of legal amendments to eliminate violence against women and implement the Istanbul Convention regulations. The draft of amendments was largely disseminated among local and international NGOs for their comments and recommendations.

11. Rights of ethnic minorities

80. The Office of the State Minister for Reconciliation and Civic Equality coordinates the process of the implementation of state policy towards ethnic minorities. The National Concept for Tolerance and Civic Integration and respective Action Plan for 2009-2014 expired in 2014; therefore, the Office of the State Minister elaborated a new Civic Equality and Integration Strategy and Action Plan for 2015-2020. The new policy document is based on the results obtained due to the implementation of the previous strategy. The new civic integration strategy is based on a more diverse, and more integrated approach and aims at: contributing to the provision of equality; ensuring ethnic minorities' full-fledged participation in all spheres of public life; preservation of their culture and identity. Each of these directives implies a state language component and also a gender approach. The new strategy will be especially special focused on the protection of the culture of small minorities as well as on the socio-economic integration of Roma and their access to education.[19] Prior to the submission for adoption of the document to the Georgian government, it was actively considered and discussed by different actors, including target groups.

81. According to 2013 data, there are 213 non-Georgian language schools and 77 non-Georgian language sectors functioning in Georgia. Textbook approved by the Ministry of Education and Science of Georgia in all subject areas throughout I-VI grades are translated into Armenian, Russian and Azeri languages. All learning materials to all minority school students are delivered for free by the state. The "4+1 program" envisages the introduction of the mitigation system, the so-called quota system, for national minority students. At the same time Georgian language programs that aims at improving state language instruction and the civic integration of ethnic minorities are conducted at non-Georgian schools. Z. Zhvania School of Public Administration conducts Georgian language classes for public servants, schools administration staff for free. Television and radio news programs in five national minority languages (Armenian, Azerbaijani, Russian, Abkhazian, Ossetian) are daily aired on the Georgian Public Broadcaster and "Public Radio". Weekly talk-show "Our Yard" on national minorities problematic and tolerance has regularly been prepared and aired on Public Broadcaster. Printed media in Azerbaijani, Armenian and Russian languages is also supported by the state. During the 2012 Parliamentary, the 2013 Presidential and the 2014 Local Government elections representatives of national minorities were provided with equal electoral rights. Central Election Commission provided them with all the necessary information and documents in Armenian, Azerbaijani and Russian languages. Currently, 8 ethnic minority representatives are represented in the Georgian

Parliament. The representation of ethnic Armenians in Samtskhe-Javakheti region and of ethnic Azerbaijanis in Kvemo Kartli region councils is proportional to the percentage of the population in those regions. In 2011-2014, within the program on "National/ethnic minorities information on the provision of social guarantees" the Ministry of Health, Labour and Social Affairs has organized meetings in the regions compactly populated by national minorities. Infrastructural projects have also been implemented. The Ministry of Culture and Monument Protection of Georgia has been implementing the program "Supporting the Culture of National Minorities". The Georgian government supports museums, theatres and cultural centers of ethnic minorities as well as encourages intercultural dialogue and tolerance.

12. Rights of persons with disabilities

82. On December 26, 2013, the Parliament of Georgia ratified the UN Convention on the Rights of Persons with Disabilities (CRPD). The Coordination Council on the Issues of Persons with Disabilities chaired by the Prime Minister is a national organ for the implementation of the CRPD. The Council includes the Ministers. A total of 10 NGOs working on disability issues are represented in the Council. The Public Defender's Office was designated as a monitor of the process.

83. In order to protect the rights of persons with disabilities and implement the provisions of the CRPD, the Government together with non-governmental organizations and other stakeholders, elaborated and adopted a Government Action Plan for 2014-2016 to ensure equal opportunities for persons with disabilities; it envisages the implementation of appropriate measures by the state in the respective period. On January 6, 2014, the Government approved the Technical Regulations of Space Arrangement and Architectural and Planning Elements for People with Limited Abilities for the purpose of adaptation, individual development and integration of persons with disabilities.

84. The emergency hotline 112 of the Ministry of Internal Affairs, since March 2015 has launched a new service of SMS and video call connection for people with hearing and speech disabilities. Furthermore, the Ministry of Internal Affairs has developed a special sound version on the website (voice.police.ge) for disabled persons.

85. The Central Election Commission of Georgia (CEC) has taken a number of steps to ensure a more accessible election environment for voters with disabilities. A special braille frame was introduced in 2013 and magnifying sheets in the 2014 elections at each polling station; these allowed visually impaired voters to more actively and independently participate in the elections. The election administration adapted voting booths for people in wheelchairs in 800 polling stations around the country. The CEC in total adapted 464 precincts for disabled voters by the time of the 2014 elections. Additionally, the CEC distributed 13 portable ramps to the polling stations that filed requests in advance, and also put in place 11 mobile groups to assist disabled voters to access polling stations during polling day. Training programs for the CEC members also include communication instructions with disabled voters.

86. The Ministry of Sport and Youth Affairs of Georgia has been implementing specially developed target programs in order to support socially disadvantaged youth and promote their integration into society.[20]

13. Healthcare

87. In 2014, the Government adopted the Socio-Economic Development Strategy, Georgia 2020. One of the main directions of the Strategy is protection of human rights on health which ensures the availability of high-quality healthcare. Activities oriented on poverty reduction, are implemented in order to eradicate extreme forms of poverty and

social risks in the country. The main principle of the Georgian social security policy is orientation on the needs of the socially vulnerable. State resources are provided to people who are revealed to be the poorest, according to an evaluation system registered in the united database of socially vulnerable households. The State social programs budget in 2015 was increased by GEL 9,920,000 in comparison to the year 2011.

88. One of the leading healthcare reforms – the Universal Health Care Program (the UHC), launched in February 2013 – was recognized as a roadmap of the country's health system development. Georgia is among those countries, which follow the WHO's major recommendations and goals for the post 2015 development agenda of the UHC. Currently, every citizen of Georgia is secured with a basic package of routine and emergency in- and out-patient clinical care, including oncology and maternity services. The USAID report on Universal Healthcare Program Evaluation (April 2014) shows that the introduction of the UHC Program increased the affordability of the healthcare services. The survey demonstrates that an absolute majority of beneficiaries (96.4%) are satisfied or very satisfied with the program.

89. The Government pioneered the Hepatitis C Treatment Program in order to effectively eliminate/control of the Hepatitis HCV Virus in penitentiary establishments. As of June 2014, the program allowed inmates and patients of penitentiary medical establishments to receive free screening and examination of Hepatitis C, vaccination against Hepatitis B, and treatment of chronic Hepatitis C using Pegylated Interferon and Ribavirin. Expanding the Treatment of Hepatitis C in April 2015, with the support of US CDC, a Hepatitis C elimination program was launched in Georgia, in order to ensure the free provision of Sofosbuvir to hepatitis C patients, as well as the diagnostic and monitoring of the treatment process. In order to increase the quality of outpatient services and to increase the geographic coverage, 82 village outpatient clinics were built and fully equipped in 2014.

90. Improving the health conditions of mothers and infants continues to be the key priority of the Government. In line with this, the government continues increasing the quality of prenatal services that implies service evaluation, promotion of effective practices and developing the service regionalization plan.

91. Since 2014, Georgia has joined the new initiative "Global Health Security Agenda" and holds a leading position in implementing the Bio Management Program and in supporting the Lab Supervision as well as Zoonotic infection packages.

14. Labour and employment

92. Georgia's labour legislation has been brought in line with international labour conventions and incorporates the best international practices. Amendments to the labour code balance the rights of employees and employers. The main amendments address previous shortcomings related to workers' rights and guarantees, such as the freedom of association, anti-union discrimination, collective agreements and bargaining, child labour, overtime work, and dismissal procedures. At the same time state realizes that it is important to continue to work for further improvement of the legislation. Discussions on any amendments proceed in a tripartite format and with non-governmental organizations. Implementation of the International conventions is being monitored and reported. Review and transposition of European directives into labour legislation is currently in process.

93. In 2013, the Government developed a long-term vision for labour protection and employment. The government launched wide-scale institutional and legislative reforms: employment support service has been added to the social service agency, which aims at the effective implementation of the state policy in promoting and developing working conditions of the labour force and ensuring a necessary infrastructure for the labour market.

In 2015, the Government established a Labour Conditions Inspection Department under the Ministry of Labour, Health and Social Affairs. The Ministry ensures that Inspectors are trained by key experts of ILO. State recognizes that due to the frequency of facts concerning violation of labor rights as well as high number of injuries and death on work places it is important to have institutionalization of labor inspection in the way to ensure the full compliance with International standards of safe labor practice. Legislative amendments were developed and currently reviewed in the Parliament aiming to strengthen the authority of the Labour Inspection Department. Furthermore, the legislative package on Occupational Safety and Health Law is discussed with partners.

94. The law on labour migration was adopted which regulates paid employment and pre-employment relation issues abroad for the following people: citizens of Georgia, permanent residents and non-citizens with legal status; A social partnership mechanism and its legal foundations was renewed and the Chairmanship of the Tripartite Commission for Social Partnership was transferred to the Prime Minister and a number of representatives from each of three sides was raised from 5 to 6. In order to promote employment, the Government launched a Labour Market Analysis Program, within the framework of its pro-active labour policy. The program will ensure easy access to all for the main data and dynamics of the Labour Market.

95. Georgia has been taking important legislative and institutional steps aimed at improving social protection to military servicemen and their families. According to relevant legislative amendments, in the case of the decease of military servicemen in the course of their performance of official duties his/her family, upon a decision of the Government, shall receive a one-time financial aid to the amount of 100 000 GEL. Additionally, monthly compensation for such families was doubled and reached 1000 GEL in 2015.

15. Rights to safe and healthy environment

96. The Constitution of Georgia guarantees everyone's rights to live in a healthy environment. The Law on the Waste Management Code which entered into force in January, 2015 is in compliance with the relevant EU directives and ensures the protection of the environment and human health by preventing and reducing adverse impacts of the waste generated by introducing effective mechanisms of waste management. The new Law on Radioactive Waste will increase the level of protection of human health and the environment from the harmful impact of ionizing radiation. In order to decrease SO2 emissions from vehicles and consequently reduce the negative impact of air pollution on human health and ecosystems, the sulphur content in petrol was gradually decreased (2012 – from 500 mg/kg to 250 mg/kg; 2014 – from 250 to 150; 2015 – from 150 to 50). The draft laws on "Water Resources Management" and the "Environmental Impact Assessment and Strategic Environmental Assessment", have incorporated the principle of access to information and public participation in the environmental decision making process. The Environmental Information and Education Centre promotes environmental awareness-raising and education and ensures access to information, and public participation in the environmental decision making process and access to justice under the Aarhus Convention.

V. Follow-up

A. Implementation of recommendations

97. During the first cycle of the UPR, Georgia undertook to implement 136 recommendations. At the same time Georgia undertook the voluntary obligation to submit a

mid-term report on the process of the implementation of recommendations accepted by the country, and this was submitted in December, 2013.

98. Georgia has successfully implemented 98 recommendations and remaining 38 recommendations are in the process of implementation because of their continuous nature. Detailed information on specific measures undertaken in the implementation of recommendations undertaken is given in the annex of the present report.

B. Implementation of pledges

99. In accordance with the pledges undertaken and commitments, the Government continues its fruitful cooperation with the Human Rights Council, including through active participation in its sessions and the co-sponsorship of human rights and humanitarian resolutions, and with the High Commissioner for Human Rights and his Office, with UN treaty-based bodies. Georgia regularly submits reports to the UN human rights treaty bodies and pays particular importance to implementation of their recommendations. In May 2014, upon the invitation of the Government, the former High Commissioner, Pillay, visited Georgia. Based on the standing invitation extended to all special procedures mandate holders in 2010, in recent years Georgia hosted the Working Group on arbitrary detention (2011), a Special Rapporteur on the freedom of peaceful assembly and of association (2012), a Special Rapporteur on the human rights of IDPs (2010, 2013), and a Special Rapporteur on torture and other cruel, inhuman or degrading punishment (2015).

100. In reiteration of its commitment to supporting the HRC and its mechanisms, as well as promoting human rights and fundamental freedoms, Georgia has presented its candidature for membership of the HRC for the term 2016-2018.

101. For the purpose of an implementation of pledges and commitments undertaken by Georgia, has a record of taking numerous measures on the legislative and institutional level, resulting in significant improvements in terms of protection and promotion of human rights. The Detailed information on the implementation of the voluntary pledges made by Georgia is provided in the annex of the present document.

VI. Expectations and support

102. Georgia acknowledges the importance of measures of international cooperation that have made significant contribution to the development of the human rights capacity and improvement of human rights standards in the state. Georgia expresses its full readiness to further cooperate on the international level in order to strengthen the human rights promotion and protection system in country.

103. Georgia pledges to increase its activities aimed at offering to share its experience in carrying out internationally renowned reforms in good governance and public service delivery, which serve the goal of an effective implementation of human rights and to bolster the international efforts for experience sharing and exchange of best practices in promoting and protecting human rights.

104. Georgia expects wider international cooperation for the protection of human rights in the Georgian territories occupied by the Russian Federation. The expectation of Georgia regarding technical assistance is the sharing of the best practices and experience in strengthening the country's human rights protection capacity, as well as in sharing the newest achievements of other states in employing modern IT technologies in the process of the preparation of state reports under the international treaties.

VII. Conclusions

105. As a firm supporter of the UPR and a candidate for membership in the HRC, during and after its membership of the Council, Georgia is committed to support the UPR process and continue its full cooperation with the HRC, as well as with all arms of the UN human rights machinery, to engage in finding ways to improve the working methods of the HRC, including strengthening its capacity to address the situation in the areas of the human rights "black holes" worldwide as well as initiatives in strengthening the HRC capacity in promoting the rights of the most vulnerable groups, with special emphasis on children, women and IDPs. Georgia will continue to support efforts aimed at ensuring a prompt and efficient international response to the newly emerging human rights challenges, to promote the right of a healthy environment and to work closely with all interested NGOs to increase their representation and participation in international human rights fora.

Notes

[1] This report has been prepared by the Ministry of Foreign Affairs of Georgia in cooperation with the Ministry of Justice of Georgia, the Ministry of Internal Affairs of Georgia, the Ministry of Labour, Health and Social Affairs of Georgia, the Ministry of Corrections of Georgia, the Ministry of Internally Displaced Persons from Occupied Territories, Accommodation and Refugees of Georgia, the Ministry of Education and Science of Georgia, the Ministry of Culture and Monument Protection of Georgia, the Ministry of Sport and Youth Affairs of Georgia, the Ministry of Defense of Georgia, the Ministry of the Environment and Natural Resources Protection of Georgia, the Ministry of Agriculture of Georgia, the Ministry of Regional Development and Infrastructure of Georgia, the Ministry of Finance of Georgia, the Ministry of Economy and Sustainable Development of Georgia, the Administration of the President, the Human Rights Secretariat of the Administration of the Prime-Minister, the Office of the State Minister of Georgia for Reconciliation and Civic Equality, the Constitutional Court of Georgia, the Supreme Court of Georgia, the High School of Justice of Georgia, the High Council of Justice of Georgia, the Gender Equality Council of the Parliament of Georgia, the Prosecutor's Office of Georgia, the Georgian Data Protection Supervisory Authority, the LEPL State Agency for Religious Issues of Georgia, LEPL Legal Aid Service of Georgia, the Central Election Commission of Georgia, and the Georgian National Communications Commission.

[2] Resolution 1683 (2009) "The War between Georgia and Russia: One Year After", Parliamentary Assembly of the Council of Europe (PACE), paragraphs 5 and 7.

[3] Consolidated Report on the Conflict in Georgia, Council of Europe (November 2014 - March 2015), 22 April 2015, SG/Inf (2015) 18, paragraph 44.

[4] Government Decree No. 408 of October 28, 2011.

[5] The progress reports of the CJRC are publicly available at www.justice.gov.ge

[6] While deciding whether or not to approve the plea agreement, a judge should be satisfied that there is enough evidence to prove the defendant's guilt, that there was no coercion or ill-treatment of the defendant and that the sentence requested by the prosecutor is both lawful and fair. If the judge is not satisfied with these modalities he may return the case to the prosecutor or even decide to subject the case for hearing on merit.

[7] The victim was granted a right to be heard by the court regarding the damage he/she might have suffered.

[8] Human Rights Committee, Concluding observations on the fourth periodic report of Georgia CCPR/C/GEO/CO/4, 19 August 2014, paragraph 13.

[9] The new regulations determine who shall not hold a license/authorization in the broadcasting sector and this prohibition applied to: the state administrative authority; officials or other employees of the public administrative authority; legal entity interdependent with the public (administrative) authority; a political party or its officials; a legal entity registered in an offshore zone; a legal entity with a share or stocks in it directly or indirectly owned by a legal entity registered in an offshore zone.

[10] The declaration of compliance consists of the following information: identification data of a seeker of a license/authorization; data on superior officers and bodies of a seeker of a license/authorization; a confirmation that a seeker of a license/authorization or its beneficial owner is not a person to whom it

is prohibited to own a license/authorization in the broadcasting sector, the identification data of beneficial owners of a seeker of a license/authorization and information regarding the shares owned by them. Georgian Law on broadcasting also defines who the beneficial owner of the broadcaster is. A beneficial owner is defined as a person who on the basic of law or a deal, receives or may receive monetary or other benefit from a broadcaster's activity and has no obligation to transfer it to another person. And finally if a beneficial owner is a legal entity created to further ideal goals, or if a legal entity owner does not have a person who owns a substantial share, the beneficial owner is a member of its governing body.

[11] Annually, no later than February 1, the broadcaster is obliged to provide the regulator as well as society with the following information: declaration of compliance (despite changes within a year); on holding other licenses in the broadcasting sphere or authorization of broadcasting; on holding a share or stocks in any other broadcasting company; on possessing a periodical printed publication; on holding a share or stocks in a periodical printed publication; on possessing a news agency; on holding a share or stocks in a news agency; on holding a share or at least 5% of stocks in any other company. If the holder of a share or stocks in its capit.', a founder, other member, director, donor or his family member concurrently holds shares or stocks in other licensed holders or a person having broadcasting authorization, a share or stocks in a periodical printed publication, a share or stocks in a news agency, a broadcaster shall also disclose and furnish the regulator with the above mentioned information.

[12] Decree of the Government of Georgia N117 on the "Approval of the implementation of certain measures for partially recovering damages incurred by religious organizations existing in Georgia during the Soviet totalitarian regime" of January 27, 2014.

[13] 1 100 000 Gel for the Muslim Community of Georgia; 300 000 Gel for the Armenian Apostolic Christian Community; c) 200 000 Gel for the Roman-Catholic Community of Georgia; and 150 000 Gel for the Jewish Community.

[14] Georgia is a contracting party to the International Covenant on Civil and Political Rights, (1966) and the European Convention on Human Rights, (1950).

[15] The most significant changes have been introduced to the Law as a result of the judicial review by the Constitutional Court of Georgia. Thus, on 18 April 2011 by decision № 2/482,483,487,502 the Constitutional Court declared unconstitutional the provision of the Law that had provided that only a political party, union, enterprise, organization or citizens' action group could be a principal of an assembly or demonstration and ruled that any individual who initiates an assembly or demonstration may also act as its principal in relations with the local government. Furthermore, prior to the amendments the Law envisaged restriction on conducting an assembly or manifestation within a 20 meter perimeter of the following governmental or other buildings: the Parliament, the residency of the President, courts, the prosecutor's office, police stations, detention centers, military objects, railways, airports, hospitals, institutions of diplomatic representatives, self-governmental agencies and enterprises, organization or agencies with special armed guards. This restriction has been annulled. Pursuant to the amendments restriction around courts and a number of other institutions (the residency of President, the Parliament, hospitals, institutions of diplomatic representatives, self-governmental agencies, enterprises, organization or agencies with special armed guards) has also been removed; restrictions have only been maintained 20 meters around the entrance to the Prosecutor's office, the police (all police stations), penitentiary institutions, temporary detention facilities and law-enforcement bodies; railways, airports and ports. Also, it is prohibited to hold an assembly or manifestation inside and within 100 meters of the entrance of military units and sites. The amendments were introduced pursuant to the decision of April 18, 2011 the Grand Chamber of the Constitutional Court of Georgia. The Constitutional Court recognized as unconstitutional provisions of the Law on Manifestation that restricted assemblies within 20 meters of certain governmental offices, including the courts. The Court stated that such limitations are not in line with the Constitution, as in certain cases they make it impossible to conduct assemblies in front of government offices. Another significant amendment to the Law was caused by the decision of the Constitutional Court № 1/5/25 dated 14 December 2012. According to Article 5(3) that had been in force before this ruling, foreign citizens could not be persons responsible for the organization and holding of an assembly or demonstration. According to the Court's decision the provision that debars a foreign citizen from being a responsible person is in conflict with the Constitution and must be removed from the Law.

[16] In particular, when granting citizenship of Georgia to a citizen of another country under regular

procedure or by way of restoration, as well as in the case of a withdrawal from citizenship, the presidential decree enters into force only after the person submits documents proving the granting/withdrawal from the citizenship of another country. A simplified mechanism to neutralize minors is set up, as well as the possibility of losing Georgian citizenship due to the lack of consular registration while living in another country is rescinded.

[17] Pursuant to the first amendments dated 28 December 2011, election subject, who receives the funding according to the Georgian legislation, will receive the supplementary funding with the amount of 10% if in the submitted party list (in all party list – for the local government elections) among every 10 candidate gender differences is represented by at least 20%. The present Law was re-amended on 29 July 2013 as described in the report.

[18] Committee on the Elimination of Discrimination against Women, Concluding observations on the combined fourth and fifth periodic reports of Georgia, 18 July 2014, CEDAW/C/GEO/CO/4-5.

[19] The Public Development Service Agency of the Ministry of Justice of Georgia in cooperation with the NGO - Innovations and Reforms Centre (IRC) started the process of registration Roma population residing in Georgia. In 2012-2014, 265 Roma people were included in the official database and 113 were granted different legal status; however, the process of the registration is not completed and is still in progress.

[20] The Integration Program for Young People with special needs/disabilities has been implemented since 2013 to support and promote equal opportunities of youngsters with disabilities; The program for the protection of rights of children with special needs/disabilities has been implemented since 2014 for strengthening the social network of family members of children with special needs; the program "Changes for Equality" has been implemented since 2014, in order to raise awareness and develop basic skills among students on communication, behavior and attitude toward people with special needs or disadvantages.